

REMARKS

Reconsideration of this patent application is respectfully requested in view of the following remarks.

On Page 2 of the Office Action, the Patent Examiner has correctly presumed that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made.

On Page 3 of the Office Action, the Patent Examiner has rejected claims 1-8 under 35 U.S.C. 103(a) as being unpatentable over *Meyer-Grafe* (U.S. Publication No. 2005/0083954 A1) in view of *Machida et al* (U.S. Patent No. 6,122,257).

The present invention is directed to a system for transmitting data in a serial bidirectional bus with a control device comprising

a send and receiving unit for data fields combined into a data frame, and

with bus subscribers connected in series which comprise an evaluation circuit for reading in and reading out data fields in data frames,

wherein each bus subscriber (2, 3, 4) comprises a test circuit (24) to determine whether it is located at the bus end

opposite of the control device,

with at least the bus subscriber at the bus end comprising a send device for a data frame,

wherein at least the bus subscriber (4) at the bus end comprises a control stage (13) which is activated by a received data frame (6) sent by the control device (1) over the serial bidirectional bus and triggers the send device (12) depending on the receipt of a data frame (6)

for sending a data frame (11) over the serial bidirectional bus in the direction of the control device (1) whereas the sent data frame (11) contains at least data fields (14, 15, 16) for all bus subscribers (2, 3, 4) and said data frame (11) is handed over from one bus subscriber to the next bus subscriber.

With regard to the prior art rejection, it is respectfully pointed out that the *Meyer-Grafe* U.S. publication has a publication date of April 21, 2005, and a U.S. filing date of August 16, 2004. This date is subsequent to Applicant's Austrian priority date of October 3, 2003, based upon Austrian Application Number A 1569/2003.

This will make of record a Telephone Interview on February 7, 2011, between Patent Examiner Angel T. Brockman and the undersigned attorney.

The substance of this Telephone Interview is set forth in this Response.

It was respectfully pointed out to the Patent Examiner that the Applicant should be able to rely upon the Austrian Patent Application priority date of October 3, 2003. By relying upon this priority date it would antedate *Meyer-Grafe U.S. Patent Application Publication* which was published April 21, 2005 and which has a U.S. filing date of August 16, 2004.

It was suggest to the Patent Examiner that in this responsive Amendment, that it be argued that the Applicant is entitled to rely upon the Austrian priority date of October 3, 2003. This would antedate the reference date for the *Meyer-Grafe* publication, whereby *Meyer-Grafe* publication is not available as prior art against the present patent application.

Thus it is respectfully requested that *Meyer-Grafe* be withdrawn as a prior art reference against the present patent application.

However, even if *Meyer-Grafe* were to be maintained as a prior art reference against this patent application, the disclosure of this publication is not relevant to the claimed invention.

Meyer-Grafe pertains to a ring bus, i.e. there are separate

forward and backward lines (see e.g. Fig. 2 or 2 and para. [0045])). But a bus with ring topology does of course not have a "bus end". Consequently, *Meyer-Grafe* can not disclose relevant features of the present invention.

In *Meyer-Grafe* there are separate forward and backward lines which is typical for a ring bus (note: a ring bus is actually not a bi-directional bus). According to the present invention there is only one line, for forwarding a data message from the control device to the bus subscribers and for the messages that are sent back from the bus subscribers to the control device. That physical difference alone makes it evident that in *Meyer-Grafe* and in an arrangement according to the claimed invention, different requirements (physical and logical) have to be met by the data transmission protocol.

All that *Meyer-Grafe* teaches (with respect to the invention) is the use of a sum frame as in the invention. However this sum frame is always sent in a circle in *Meyer-Grafe* but is not sent forward and backward on the same line as in the invention.

The deficiencies in the teachings of the primary reference to *Meyer-Grafe* are not overcome by the disclosure of the secondary reference to *Machida U.S. Patent No. 6,122,257*.

For all these reasons, it is respectfully submitted that all

the claims are patentable under 35 U.S.C. 103 over all the prior art applied by the Patent Examiner.

Withdraw of this ground of rejection is respectfully requested.

A prompt notification of allowability is respectfully requested.

Respectfully submitted,
Josef RAINER ET AL

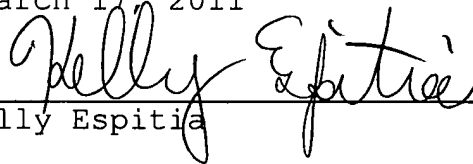


Frederick J. Doronak, Reg. No.29,298
Edward R. Freedman, Reg. No.26,048
Attorneys for Applicants

COLLARD & ROE, P.C.
1077 Northern Boulevard
Roslyn, New York 11576
(516) 365-9802

ERF:dmc

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as first class mail in an envelope addressed to: AMENDMENT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on March 17, 2011



Kelly Espitia

R:\Patents\RAINER ET AL-1 PCT\response to OA march 2011.wpd